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UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

M. WAYNE WESTERN
THORPE NORTH & WESTERN, LLP
P.O. BOX 1219
SANDY, UT 84091-1219

Appeal No: 2009-014788
Appellant: Weihong Xiong, Dinesh C. Patel et al.
Application No: 10/723,435
Hearing Room: A
Hearing Docket: A
Hearing Date: Thursday, October 14, 2010
Hearing Time: 09:00 AM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

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Board of Patent Appeals and Interferences
United States Patent and Trademark Office
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In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ☒ HEARING ATTENDANCE CONFIRMED☐ HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel: _____

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
<http://www.uspto.gov/web/offices/dcom/gcounsel/contact.html#bpaicontacts>

Note: A powerpoint projector is requested.
Thanks !!

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USA



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Wade W Xiong
President / CEO

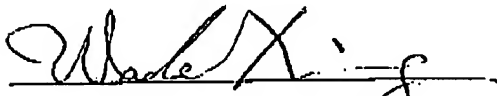
Tel: (801) 748-3550
Fax: (801) 748-3555
wxiong@xelherb.com

Power of Attorney

I, **Wade Weihong Xiong**, residing at 11830 Autumn Ridge Drive, Sandy Utah 84092, hereby appoint **Dr. Danyi Quan**, Chief Scientific Officer of Xel Pharmaceuticals, Inc. (previously known as Xel Herbaceuticals, Inc.), as my Attorney-in-Fact (Agent).

My Agent shall have full power and authority to act on my behalf to present the oral hearing on October 14, 2010 (Appeal No. 2009-014788). This power and authority shall authorize my Agent to conduct all of my affairs and to exercise all of my legal rights and powers for the patent application of Transdermal Administration of Huperzine (Application No. 10/723,435).

Dated this 21st day of September, 2010 at 12382 Gateway Park Place, Suite B600, Draper, Utah 84020.


Wade W Xiong, Inventor / Owner

State of Utah)
ss.
County of Salt Lake)

I, Shauna Palmer, a notary public, hereby certify that on this 21st day of September 2010, personally appeared before me Wade W Xiong who being first duly sworn declared that his is the person who signed the foregoing document as member and that the statements contained herein are true.




Notary Public
Residing in Salt Lake County, Utah

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Dinesh C Patel
Chairman

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Power of Attorney

I, **Dinesh C Patel**, residing at 4936 South Mile High Drive, Salt Lake City, UT 84124, hereby appoint **Dr. Danyi Quan**, Chief Scientific Officer of Xel Pharmaceuticals, Inc. (previously known as Xel Herbaceuticals, Inc.), as my Attorney-in-Fact (Agent).

My Agent shall have full power and authority to act on my behalf to present the oral hearing on October 14, 2010 (Appeal No. 2009-014788). This power and authority shall authorize my Agent to conduct all of my affairs and to exercise all of my legal rights and powers for the patent application of Transdermal Administration of Huperzine (Application No. 10/723,435).

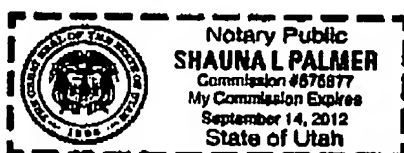
Dated this 21st day of September, 2010 at 12382 Gateway Park Place, Suite B600, Draper, Utah 84020.

Richard

Dinesh C Patel, Inventor / Owner

[illegible]

I, Shauna Palmer, a notary public, hereby certify that on this 21st day of September 2010, personally appeared before me Wade W Xiong who being first duly sworn declared that his is the person who signed the foregoing document as member and that the statements contained herein are true.



Maenar Palmer
Notary Public
Residing in Salt Lake County, Utah